



NEWS RELEASE

Tennessee Regulatory Authority

Media Contact:

Greg Mitchell, 741-2904 ext. 131

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Tennessee “Do-Not-Fax” Law Remains In Effect

Nashville, Tennessee – The Federal Communication Commission’s (FCC) recent decision to delay a ruling that would require marketers to receive written permission before marketing their products and services to consumers via fax does not change Tennessee’s Do-Not-Fax law, says Tennessee Regulatory Authority (TRA) Chairman Debi Tate.

The Tennessee Do-Not-Fax program, enacted by the Tennessee General Assembly during the 2003 legislative session and signed into law by Governor Bredesen, went into effect on July 1, 2003. The program is being implemented by the TRA.

“We wanted to insure that there is no confusion,” said Tate. “The Tennessee Do-Not-Fax law is in full effect and violators will be prosecuted.”

“Our legislature created a program that empowers consumers and was narrowly defined so it does not stymie the lawful use of business faxes,” she added. “The TRA has offered to help the FCC redraft a rule which might work well for both consumers and business.”

Since July 1, the TRA has logged over fifty (50) consumer complaints from business and residential consumers related to unsolicited fax transmissions, many of which are under investigation by TRA investigators.

Tennessee’s no-fax law requires organizations or persons that transmit faxes to print on each faxed page, in at least a twelve (12) point type, a valid return address and a toll-free telephone fax number that consumers may use to inform the fax sender, by return fax, of their choice to be removed from the fax sending organization’s data base. A violation occurs if the organization persists in transmitting faxes after a request has been made to stop.

The General Assembly has granted the TRA the authority to impose a civil penalty of up to \$2,000 per occurrence to organizations that knowingly violate state law.

For information about the Do-Not-Fax program, including consumer information and posting requirements for organizations that transmit faxes, visit the TRA’s web site at www.state.tn.us/tra.

